

TAYLOR & COHEN LLP

305 Broadway, 7th Floor
New York, NY 10007
Tel (212) 257-1900
Fax (646) 808-0966
www.taylorcohenllp.com


September 10, 2024

By Email – Sealed Filing Requested

Application granted.

Honorable Ronnie Abrams
United States District Judge
Thurgood Marshall
United States Courthouse
40 Foley Square
New York, NY 10007

SO ORDERED.



Ronnie Abrams, U.S.D.J.
September 11, 2024

Re: *United States v. Kaylen Rainey*, 22 CR 91 (RA) – Motion for modification of bail conditions

Dear Judge Abrams:

I represent Kaylen Rainey. I am writing to request a modification of the conditions of Mr. Rainey's bail, to substitute a curfew for the current condition of home detention. Pretrial Services consents to this request, and the government defers to Pretrial Services' position.

On June 12, 2024, Mr. Rainey was released on bail subject to conditions including home detention enforced by electronic monitoring. In mid-August, Mr. Rainey obtained employment as a sales consultant for a wireless retailer that operates throughout the United States, and he completed his four-week training at the end of last week. While he primarily works at a retail location in the city where he is being supervised, Mr. Rainey will be required to staff stores throughout the region. He is also expected to be available for meetings with small business clients as well as team-building events and trainings outside of regular business hours. According to Pretrial Services, the travel and flexible hours required for his job are incompatible with the restrictions of home detention. However, a curfew would allow Mr. Rainey to satisfy his job requirements, and maintain employment, while still being subject to location monitoring.

The conditions of Mr. Rainey's release on bail are governed by 18 U.S.C. § 3142(c), which provides that a judicial officer shall order the pretrial release of a defendant "subject to the least restrictive further condition, or combination of conditions, that such judicial officer determines will reasonably assure the appearance of the [defendant] as required and the safety of any other person and the community." 18 U.S.C. § 3142(c)(1)(B). Here, substituting a curfew for home

September 10, 2024
Hon. Ronnie Abrams
Page 2

detention, while keeping the other conditions in place, will reasonably assure Mr. Rainey's appearances in Court as well the safety of the community. Mr. Rainey has been fully compliant with all the conditions of his bail since his release three months ago. Additionally, he has obtained employment that offers him scope for advancement within the company, provided he performs the requirements of his job, which include travel within the region and availability for work-related activities outside of regular business hours. Maintaining his new employment will aid Mr. Rainey's reintegration into society.

Accordingly, we respectfully request that the Court modify the conditions of Mr. Rainey's bail to substitute a curfew for home detention.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Zachary S. Taylor".

Zachary S. Taylor

cc: Micah F. Fergenson, Esq.
Michael R. Herman, Esq.
Assistant United States Attorneys